

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF IOWA

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SEP 28 2011

CLERK U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF IOWA

Tiffani Wells,

Plaintiff,

-vs.-

Iowa Student Loans,

Defendant.

\* Case No:  
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**COMPLAINT**

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I. Jurisdiction

1) Jurisdiction of this court is predicated under 28 U.S.C. 1331. This court has jurisdiction on Plaintiff's supplement claims pursuant to 28 U.S.C 1367(a)

II. PARTIES

2) Plaintiff Tiffany Wells, is a natural person currently residing in the state of California, County of San Diego, Plaintiffs address is 4012 Aquila St. Unit E. Carlsbad CA 92008.

3) Defendant Iowa student Loans is Plaintiff's Creditor and does business in the State of Iowa. Defendant's corporate address is 6805 Vista Dr. Ashford I Blvd. West Des Moines Iowa 50266.

III. VENUE

4) Venue is proper in the Southern District of Iowa as the Defendant's Principal place of business. Further, the acts and transaction giving rise to this complaint occurred in the District of Iowa.

IV. STATEMENT OF CLAIM

5) On or about July 19th, 2011 Defendant obtained Plaintiff's credit report from a credit reporting agency without plaintiff's permission or consent and under false pretenses.

6) Defendant made no "Firm offer of credit" to plaintiff as defined by 15 U.S.C. 1681(C) (b) (I) OR 15 U.S.C 1681a (1).

7) Defendant made no other offer of anything to the plaintiff and the purpose of this unauthorized inquiry is very much a unknown to the Plaintiff.

8) Plaintiff notified Defendant upon learning of this inquiry that this inquiry was unauthorized, that Plaintiff never applied for any services with the Defendant and that this inquiry was damaging Plaintiffs credit score. Defendant never responded to plaintiff's request for deletion.

9) As a result of Defendants actions, Plaintiff suffered actual economic damages through the loss of credit, a lower credit score and availability of credit at higher interest rates than Plaintiff would have received absent the improper and unauthorized inquiry.

10) Defendant actions caused Plaintiff to suffer embarrassment, mental anxiety, emotional suffering, worry humiliation and other distress.

#### VIOLATION OF FAIR CREDIT REPORTING ACT (FCRA)

11) Defendants actions as described herein constitute violations of the Fair Credit Reporting Act as described above and violations of 15U.S.C 1681N as Defendant willfully obtained Plaintiffs credit report under false pretenses and for no legitimate or authorized purpose.

#### LIBEL AND DEFAMATION

12) Defendant published false information about the Plaintiff. The fact the Plaintiff was actively seeking credit or new accounts despite knowing that Plaintiff was not doing this seeking.

13) This information was view repeatedly, each and every time the plaintiff's credit report was accessed, which was the result intended by the Defendant.

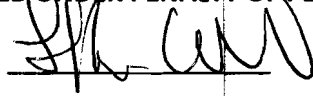
14) As a consequence of Defendants actions, Plaintiff has suffered distress, Loss of credit, and has been chilled from seeking any additional credit and has suffered corresponding economic damages.

#### PRAYER FOR RELIEF

Wherefore, Plaintiff respectfully request that Judgment be entered against the Defendant for the following:

- a) Actual damages.
- b) Stautory damages.
- c) Cost and reasonable fees.
- d) Punitive damages.
- e) For such other relief as the court may deem just and proper.

**EXERCISED UNDER PENALTY OF PERJURY**

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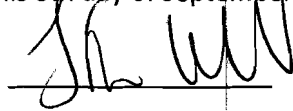
Tiffani Wells

4012 Aguila St. Unit E Carlsbad CA 92008

**DEMAND FOR JURY TRIAL**

Please take note that Plaintiff demands trial by jury in this action.

Dated this 6th day of September, 2011.

A handwritten signature in black ink, appearing to read 'Tiffani Wells', written over a horizontal line.

Tiffani Wells

4012 Aguila St. Unit E Carlsbad CA 92008